



Attorney Docket No. 23971-69817US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Haitin, David *et al.*

Application No.: 09/588,389

Group Art Unit: 3653

Filed: 12/12/2002

Examiner: Michael E. Butler

Title: Medication Administration System

Mail Stop – AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Official Action mailed May 13, 2005, to which the date two-month date for an Advisory Action is set to expire on July 13, 2005, and a three month shortened statutory period for response is set to expire on August 13, 2005, Applicants respectfully request entry of the following amendments and remarks and reconsideration of the subject application.

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02 FC:2202 450.00 DA

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STATUS OF CLAIMS

Claims 1-38 are pending in this application.

Claims 4-9, 11, 12, 14-23, 25, 28-31, and 33-38 have been withdrawn from consideration, without prejudice. In accordance with Applicants' prior Response, Applicants' have elected claims 1-3, 10, 13, 24, 26, 27 and 32 (Group III).

Claims 1-3, 10, 13, 26, 27 and 34 have been rejected by the Examiner.

Claim 24 has been found to contain allowable subject matter if rewritten in independent form.

Claims 39 – 56 have been added. No new matter has been added.

Remarks

1. **Request for Interview**

In view of the foregoing amendments and remarks which follow, Applicants respectfully request an in-person interview at the patent and trademark office with the Examiner and his Supervisor in order to discuss the amended claims set forth herein.

2. **Allowable Subject Matter**

Applicants note with appreciation that the Examiner has determined that the subject matter of claim 24 would be allowable if rewritten in independent form.

3. **Claim Rejection Pursuant to 35 U.S.C. § 102**

Claims 26, 27 and 32¹ have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,564,803 (McDonald *et al.*). In the Response to Amendments/Arguments section of the Detailed Action, the Examiner states:

¹ Applicants note that the Examiner actually rejected Claim 34 rather than 32. However, the Group III election included dependent Claim 32 rather than dependent Claim 34, which claim has been withdrawn from

CONCLUSION

Thus, it is respectfully submitted that Claims 1 – 3, 10, 13, 24, 26, 27 and 32, as well as, newly added claims 39 – 56, are in condition for allowance. Accordingly, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. §§ 102 and 103 rejections, and that allowance of such claims be granted at the earliest date possible. Should the Examiner have any questions regarding Applicant's amendments or response, the Examiner is asked to contact Applicant's undersigned representative at (215) 575-7194.

If there are any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0979.

Respectfully submitted,



Darryl W. Shorter
Registration No. 47,942
John W. Goldschmidt
Registration No. 34,828

Date: **July 13, 2005**
DILWORTH PAXSON LLP
3200 Mellon Bank Center
1735 Market Street
Philadelphia, PA 19103-7595
Tel. (215) 575-7000
Fax (215) 575-7200

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